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PATENT & TRADEMARK OFFICE

#13

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant
application filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

| | |
|------------------------|--------------------|
| Application Number | 09/600,523 |
| Filing Date | September 11, 2000 |
| Examiner Name | Wong, Leslie A. |
| First Named Inventor | Luciano Rabboni |
| Group Art Unit | 5150 |
| Attorney Docket Number | P-3021.001LP |

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0852.
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☒ Other The Commissioner is hereby authorized to charge any deficiencies or overpayments to the account no.
- b. ☒ Check in the amount of \$ 1,660.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

Adjustment date: 01/22/2003 AKELLEY
01/08/2003 AWONDAF1 00000053 09600523
01 FC:1801 -740.00 OP

01/22/2003 AKELLEY 00000014 500852 09600523
01 FC:1801 10.00 CH 740.00 OP

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | | |
|--------------------|--------------------------|-----------------------------------|-------------------|
| Name (Print /Type) | Francis J. Fodale | Registration No. (Attorney/Agent) | 20,824 |
| Signature | <i>Francis J. Fodale</i> | Date | December 17, 2002 |

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

| | | | |
|--------------------|-------------------------|------|-------------------|
| Name (Print /Type) | Suzanne M. Britt | Date | December 17, 2002 |
| Signature | <i>Suzanne M. Britt</i> | | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

01/08/2003 AWONDAF1 00000053 09600523

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740.00 OP

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#12

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---|---|-----------------------------|
| In re application: RABBONI |) | |
| |) | |
| U.S. Serial No. 09/600,523 |) | Group Art Unit: 1761 |
| |) | |
| Filed: September 11, 2000 |) | Examiner: Wong, L. |
| |) | |
| For: Additive pre-mix for food products |) | Docket No: P-3021.001 Luppi |

Assistant Commissioner of Patents
Washington, D.C. 20231

PETITION FOR EXTENSION OF TIME

Applicant hereby petitions to extend the time for filing a response to the Office Action dated June 18, 2002 for three months, the period to end on December 18, 2002. The extension fee of \$920.00 for the three months is included in the check for \$1,660.00 that is enclosed with the Request for Continued Examination.

AMENDMENT

Kindly amend the above entitled patent application as follows:

In the claims:

Cancel claims 20-50 and add the following claims 51-85.

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51. A room-temperature pasty compound for food use, comprising:
a sugar, water, a stabilising and thickening agent, and
at least one of the following agents: antioxidant agent; preservative agent;
acidifying agent, wherein said compound is free of fruit products and is intended to be
directly mixed with a type of fruit product selected from a desired group of fruit
products.

52. A compound according to claim 51, wherein said antioxidant agent is selected
from a group comprising ascorbic acid, salts and derivatives thereof, gallic acid,
butylated hydroxyanisole, butylated hydroxytoluene, tocopherols.

53. A compound according to claim 51, wherein said preservative agent is
selected from a group comprising sorbic acid and its salts, propionic acid and its salts.

01/08/2003 AWONDAF1 00000053 09600523

02 FC:1253

920.00 OP

Adjustment date: 03/12/2003 WELLEY 0013310600
 01/08/2003 AWONDAF1 00000053 09600523
 02 FC:1253
 Repln. Ref: 03/12/2003 WELLEY 0013310600
 DB: 500852 Name/Number: 09600523
 FC: 9204